



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Ulrich SPECK et al.

Serial No.: 09/446,328

Filed: 17 April 2000

For: USE OF INTRAVENOUS CONTRAST MEDIA FOR PROJECTION MAMMOGRAPHY

Group Art Unit: 1619

Examiner: G. Hollinden

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REPLY

Assistant Commissioner for Patents
Washington, D.C. 20231

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SIR:

In response to the Office Action dated December 31, 2002, please consider the following remarks.

REMARKS

Rejection of Claims 38-41 Under 35 U.S.C. §112, 1st, paragraph

The Office Action alleges that the claims lack written description. Applicants respectfully disagree.

The Office Action alleges that the specification fails to show a representative number of contrast agents with the claimed identifying characteristics to show possession of the broad class claimed. However, the written description requirement does not require express language be present in the specification. See, e.g., *Vas-Cath, Inc. v. Mahurkar*, 19 U.S.P.Q. 2d 1111 (Fed. Cir. 1991) and *In re Kaslow*, 217 U.S.P.Q. 10089 (Fed. Cir. 1983).

Applicants, however sufficiently demonstrate possession of the class claimed. One of skill in the art, upon reading the specification and the examples of contrast agents, would have recognized possession of the claimed classes, including those described by negative limitations.

It is not required of applicants to explicitly recite features of an invention that are readily understood by those skilled in the art to be part of the invention. Thus, withdrawal of the rejection is respectfully requested.